IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 6119 of 1999

Between:

V.Gangayyacharyulu, S/o Vishnumurthy,
R/o Etikoppaka Village, Vishakapatnam Dist.

..... PETITIONER

AND

1 The Commissioner of Sugar, A.P., Exhibition Grounds Road,
Hyderabad
2 The Etikoppaka Co-operative Agrl. & Industrial Society ltd., Rep by its Managing Director
Etilkoppaka, Visakhapatnam Dist.,

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of Mandamus or any other appropriate writ, direction or directions, declaring that the petitioner is entitled to continue in service till the completion of 60 years of age with all consequential benefits and to direct the respondents to act accordingly and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.V.V.N.NARAYANA RAO

Counsel for the Respondent No.: GP FOR COOPERATION

The Court made the following :

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ORDER:

Heard both sides and at their request the main Writ Petition itself is taken up for disposal.

The question involved in this Writ Petition, with regard to the age of superannuation, is squarely covered by a decision of the Full Bench, reported in THE ETIKOPPAKKA COOPERATIVE AGRICULTURAL AND INDUSTRIAL SOCIETY LIMITED VS. K. SANYASI AND OTHERS wherein, this court held that the respondents-petitioners have no right to continue in service beyond 58 years of age under Rule 28(5) of the A.P. Cooperative Societies Rules, 1964.

In view of the above, nothing survives in this Writ Petition and accordingly, the Writ Petition is dismissed. No costs.

_____ B. PRAKASH RAO, J

Dated:14.12.2004.

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To

1 The Commissioner of Sugar, A.P., Exhibition Grounds Road,
Hyderabad
2 The Etikoppaka Co-operative Agrl. & Industrial Society ltd., Rep by its Managing Director
Etilkoppaka, Visakhapatnam Dist.,

3. 2 CCs to G.P. for Cooperaton, High Court of A.P., Hyderabad. (OUT)

4. 2CD copies.